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computing systems, wherein, said layout is susceptible to influence by browser configuration on said one or more of second computing systems, said system comprising:

a device for obtaining a layout of display elements on a web page, and a primary split direction for the web page, said primary split direction for preserving a preferred layout of said web page when rendered by various web browsers; and
memory storing software code for determining splits in the primary split direction for the web page.

Remarks

Applicant submits the following remarks in connection with references cited by the Examiner in the prior Office Action dated 22 March 2000.

In Part 8 of the prior Office Action, the Examiner indicates claim 5 is an independent claim. Applicant believes that the Amendment originally mailed in August, 1999 amended claim 5 to depend from claim 1.

Applicant has amended independent claims 1, 10, 11, & 12 in the pending application. The amended claims recite features such as "determining a primary split direction for the web page for preserving a preferred layout of said web page when rendered by one or more second computing systems, wherein said preferred layout is susceptible to influence by browser configuration on said one or more of second computing systems." (Claim 1.) Applicant's specification recognizes a problem that occurs in connection with web page design wherein the human designer of a web page has no control over how various browsers executing on different platforms will display text. The cited references neither contemplate, teach, nor suggest any

solution to this problem, nor the problem itself. The Examiner's obviousness rejection is unfounded as the combining of references is hindsight based and further Applicant respectfully submits the claims as amended patentably distinguish over the cited references. Accordingly Applicant requests allowance of this application.

Yamashita appears directed towards the problem of an simple system of extracting and generating a layout model of document objects in an OCR system. See col. 1. Yamashita's system, as one would expect from an OCR system, takes as its input a pixilated document image. Yamashita's solution appears directed towards extracting separators from the document image for segmenting document objects and generating an abstract layout model that can be further manipulated. See Fig. 2, cols. 1-3.

Lemay appears to be a general background reference on HTML with no particular relevance. Quattro Pro appears to be an application user-guide showing conventional print features, e.g., margins, portrait and landscape print modes, print preview, also with no particular relevance.

Applicant's specification describes a problem that arises in web page design resulting in the web page designer having no control over how various browsers executing on different platforms will display the web page. See p. 1-2; Figs. 6(a)-(b) and 7(a) (b) (illustrating effects). In accordance with embodiments in Applicant's specification, a web page designer can indicate a primary layout, e.g., row or columnar. Subsequent layout operations carried on in creating the web page provide for the primary layout to be faithfully maintained even when particularly-configured browsers (e.g., modified font size) render the web page. Embodiments of Applicant's invention could provide a powerful tool for a web page designer to provide that his or her

preferred design layout be faithfully reproduced on browsers with configurations susceptible to influencing layout.

Applicant has amended independent claims pending in this application to more clearly distinguish the narrow and limited teachings of the references cited without prejudice to recapture of intervening claim feature equivalents.

Applicant respectfully submits the references cited do not contemplate preserving layout of a web page designed on one machine and for rendering on others susceptible to layout-influencing variations. To the contrary, Yamashita appears directed towards generating a layout model of document objects from an image that has already been rendered. Applicant submits Yamashita provides no relevant teachings to preserving web page layout in diverse browser environments. The remaining references cited by the Examiner in rejecting Applicant's claims add little more.

The cited references appear to teach little more than the fact that a document layout can be established by horizontal and vertical areas (e.g., a tabular layout). Applicant makes no claim in this application to have invented HTML tables. As the very title of Applicant's invention suggests, Applicant's invention provides an method and apparatus for implementing web pages with a tabular layout that goes well beyond conventional tables.

As noted above, embodiment's of Applicant's invention can allow the web page designer's layout preferences to be preserved in disparate browser environments. Reference can be made, for instance, to Fig. 10 in Applicant's Specification. The embodiments in the Specification illustrate preservation of layout preferences: in decision process 1011, splits are not made arbitrarily; rather objects that may change size and/or overlaps are considered, thus reflecting a determination of splits responsive to likelihood of browser-variation-based layout

influences. When splits are needed, only a minimum number of splits are made in the non-preferred direction, so that splits in the preferred direction can be made if then available (see 1016).

The fact that "given, the current state of browsers, the human designer of a web page has no control over how various browsers executing on different platforms will display text" establishes a problem for which none of the references cited contemplates, teaches or suggests a solution. Embodiments of Applicant's invention set forth in the specification provide a solution to this and other problems. Applicant plainly notes in the Specification that browser configuration differences, e.g., the user changing various default browser options or platform differences, can result in changes on web page layout that, absent some layout-preserving invention, would leave the web page designer unable to control web page layout as rendered by browsers. See "Background of the Invention." As illustrated by the Specification, embodiments of Applicant's invention provides a solution to this problem.

The Examiner's position regarding Yamashita does not support rejecting the patentability of Applicant's claims. The Examiner in Paragraph 11 of the Office Action indicates "Yamashita teaches the extraction of document information to hierarchically express the relationship between document objects. This hierarchical tree is then used to layout each object of a document image." Yamashita appears to be for operation in an Optical Character Recognition system. Yamashita's system appears to take pixel data of a previously rendered document and seeks to generate a layout model of document objects. Fundamentally, Yamashita uses his "area segmentation" to take a document with an existing layout from a pixilated image to an abstract layout model. Applicant submits Yamashita neither teaches nor suggests for preserving a primary layout in diverse layout-influencing operating environments. Applicant submits the area

segmentation of Yamashita neither contemplates nor provides for preservation of the layout preferences of a web page designer.

Applicant's claims plainly distinguish over the cited references. Applicant's claims recite features such as "determining a primary split direction for the web page for preserving a preferred layout of said web page when rendered by one or more second computing systems, wherein said preferred layout is susceptible to influence by browser configuration on said one or more of second computing systems." Applicant submits Yamashita's "area segmentation" is used for extracting an abstract layout from an existing document previously rendered with no consideration of designer preference. This contrasts with Applicant's claim 1 which plainly recites features such as "for preserving a preferred layout" "when rendered by one or more second computing systems" "susceptible to influence by browser configuration." Simply put, Yamashita uses a technique for one purpose. Applicants do not seek to lay claim to that technique. Applicant's claims plainly recite a distinct features neither taught nor suggested by the references cited. Accordingly, Applicant submits the pending claims are in condition for allowance.

Further, the Examiner's obviousness rejection is unfounded as there is no motivation, suggestion, or reason to combine the references as the Examiner indicates. When an obviousness determination is based on multiple prior art references, there must be a showing of some teaching, suggestion, or reason to combine the references; absence of such a suggestion is dispositive. Gambro Lundia AB v. Baxter Healthcare Corp. 110 F.3d 1573, 1579 (Fed Cir. 1997). The showing of combinability, in whatever form, must be "clear and particular". In re Dembiczak, 175 F.3d 994, 999 (Fed. Cir. 1999).

There is no motivation, suggestion, or reason to combine Yamashita and Lemay. The Examiner indicates on Page 4 of the Office Action "Yamashita does not disclose a web page. However, Lemay shows many web page editors and converters which offer tools to perform web page design. It would have been obvious to one of ordinary skill in the computer art at the time of the invention to apply Lemay's tools to Yamashita's method because of the tools shown by Lemay, teaching us techniques for coding web pages." (emphasis added).

Applicant submits there is no explicit suggestion for combining the references as indicated by the Examiner in the references themselves.

Further, Applicant's specification notes "A problem develops, however, when certain types of web pages are displayed on certain hardware platforms on [sic] using certain browser options [¶] What is needed is a way to let the human designer plan his page in such a way that the effects" (Specification p. 1-2). Applicant submits there is nothing in the nature of this problem that would lead one of skill in the art to look to an Optical Character Recognition system component such as Yamashita. To the contrary, this problem is fundamentally different from that solved by Yamashita. Yamashita's problem and solution are directed towards (re) creation of document layout objects from a pixilated image. Applicant further submits the Examiner's brief statement supporting the 103 rejection ("the tools shown by Lemay, teaching us techniques for coding web pages") provides no reason to combine Lemay with Yamashita. Techniques for coding web pages do not draw one skilled in the field to OCR systems. To the contrary, techniques for coding web pages are unrelated to techniques for extracting a layout from a document which has already been created. Applicant respectfully submits that the Examiner has failed to establish a prima facie case of obviousness and submits this rejection should be withdrawn.

CONCLUSION

For the reasons set forth above, it is believed that all claims present in the application patentably distinguish over the prior art. Therefore, it is requested that this application be passed to allowance.

If the Examiner has any questions or would like to discuss this Amendment, please do not hesitate to contact the undersigned at the telephone number below.

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Date: December 07, 2000

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